

#4 10-12-00
P. Hassanzadeh

**REQUEST FORM FOR
APPLICATION UNDER 37 CFR 1.53(b)**

DOCKET NUMBER: 43889-951

Prior Application:

Art Unit: 1763

Examiner: P. Hassanzadeh

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a **Divisional** application under 37 CFR 1.53(b) of pending prior application
Serial No. 08/965,892, filed on November 7, 1997, entitled APPARATUS AND METHOD FOR OPTICAL
EVALUATION, APPARATUS AND METHOD FOR MANUFACTURING SEMICONDUCTOR DEVICE,
METHOD OF CONTROLLING APPARATUS FOR MANUFACTURING SEMICONDUCTOR DEVICE,
AND SEMICONDUCTOR DEVICE, by the following named inventors: Koji ERIGUCHI, Takayuki YAMADA,
Masanori OKUYAMA.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
- i. ☐ Deletion of inventor(s)
Signed statement attached deleting inventor(s) named in the prior application, see 37
CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1-37 and 141-145.

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	103	-20	83	\$18.00 =	\$1494.00
Independent Claims	7	-3	4	\$78.00 =	\$312.00
Basic Application Fee					\$690.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$2496.00
Subtract ½ if small entity					\$0.00
TOTAL APPLICATION FEE DUE					\$2496.00
AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417					\$2496.00

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$2496.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 08/965,892 or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:

--This application is a Divisional of Application Serial No. 08/965,892 filed November 7, 1997.--

10. ☐ Priority of Application Serial No. 8-296592, filed on November 8, 1996 in Japan; Application Serial No. 8-350612, filed December 27, 1996 in Japan; Application Serial No. 9-015382, filed January 29, 1997 in Japan; and Application Serial No. 9-189841, filed July 15, 1997 in Japan is claimed under 35 USC 119. The certified priority documents were filed in Serial No. 08/965,892 on November 7, 1997.
11. ☒ The prior application is assigned of record to
- Matsushita Electric Industrial Co., Ltd.**
Osaka, Japan
12. ☒ The power of attorney in the prior application is to:
- McDermott, Will & Emery
13. ☒ Also enclosed:
1. Correspondence Address Change
 2. Request for Approval of Drawings Amendment
 3. Transmittal of Formal Drawings

14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery
600 13th Street, N.W.
Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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